In the Supreme Court of the United States

OCTOBER TERM, 1968

No. 1262

LEMUEL THOMAS SMITH, PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

Petitioner was convicted in the United States District Court for the Western District of North Carolina of having in his possession chattels stolen from an interstate shipment in violation of 18 U.S.C. 659. The sole issue raised in the petition for a writ of certiorari is the sufficiency of the evidence to support the conviction, an issue fully discussed in the opinion below.

For the reasons set forth in that opinion, it is respectfully submitted that the petition for a writ of certiorari should be denied.

ERWIN N. GRISWOLD,
Solicitor General.

MAY 1969.

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